

REMARKS/ARGUMENTS

At present, claims 1, 4-16, 18-25, and 29 are pending in the application and currently stand rejected. Based on the following remarks and forgoing amendments, reconsideration of the application is respectfully requested.

Initially, the Applicant would like to thank the Examiner for taking the time to discuss the outstanding Office Action with the Applicant's Representative during a telephonic interview conducted on March 16, 2011. During the interview, the Applicant's Representative and the Examiner discussed the prior art rejection of the claims. The Examiner suggested several claim amendments that, after additional search and consideration, may patentably define the invention over the prior art.

Claim Objections

The Examiner objected to claims 4 and 6-8 as they depend from claim 3, which was previously cancelled. By this response, claims 4, 6, and 7 have been amended to properly depend from claim 1. Claim 8 has been cancelled.

§103 Rejections

Claims 1, 4-16, 18-25, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Girault et al. (U.S. Patent No. 5,768,379), in view of Arnold (U.S. Patent No. 6,456,716), and further in view of Boman et al.(U.S. Patent No. 7,564,350). This rejection is respectfully traversed.

Claim 1 is directed to a method for documenting a transfer of authority of control for a container from a first entity of a transportation chain to a second entity of the transportation chain. The method includes receiving through an interface of an electronic seal associated with the container an electronic container control certificate associated with a first entity. The electronic seal includes a log for recording data and a control unit for verifying date received through the interface. The electronic container control certificate comprises a cryptographic key associated to the second entity, and which container control certificate is digitally signed by the first entity. The method further includes receiving in the electronic seal associated with the

container, geographic location data from a location recording device associated with one of the first and second entities, storing the container control certificate in the log of the electronic seal, and verifying the signed container control certificate by a corresponding function implements in the electronic seal.

In rejecting claim 1, the Examiner relies upon Girault et al. which is directed to a system for checking limited access to authorized time slots renewable by means of a portable storage device. The system is described as being employed to control access to building and/or post office boxes. Access is controlled by reading data from a key card. The key card includes a data element pertaining to a particular time slot having a signature. Readers capable of verifying the signature provide access to a guarded location. Initially, it should be noted that Girault et al. does not pertain to protecting articles in a transportation chain let alone an electronic seal for a container. In addition, Girault et al. does not teach transferring a container control certificate including a cryptographic key to an electronic seal for a container. At best, Girault et al. teaches storing a data element having a particular signature on a key card that is later read by a reader to provide access to a control point. Girault et al. fails to teach may of the limitatons recited in claim 1. For example, Girault et al. does not teach receiving in an electronic seal a control certificate associated with a first entity, let alone the particular form of control certificate claimed.

The Examiner relies upon Arnold for teaching the particular type of container control certificate. As noted in the previous response, Arnold does not teach transferring a container control certificate including a cryptographic key to an electronic seal for a container. Arnold simply teaches reading and decrypting a certificate. The Applicant respectfully submits that the combined teachings of Girault et al. and Arnold would, at best, teach a key card including a cryptographic data element stored as a digital certificate, and a lock capable of reading and decrypting the digital certificate. The references when taken singly and or in combination, do not teach a container seal as described in claim 1.

Girault et al. also fails to teach receiving in the electronic seal associated with the container geographic location data from a location recording device associated with one of the first and second entities as described in claim 1. In order to teach this missing claim limitation,

the Examiner relies upon Boman which includes a tracking system for tracking a geographic location of a container. The Applicant respectfully submits that there is no rational basis for providing the key card/reader system described in Girault et al. which provides access to buildings, with the capability of receiving geographic location data. Buildings, post office boxes and the like, are stationary objects having fixed locations. The fixed locations do not move and thus there is no need to track geographically. In order to support a rejection under 35 U.S.C. §103, an Examiner must provide an articulated rationale with some rational underpinning. Regardless of the teaching in Boman, there is simply no rational basis to support adding a geographic location data receiving capability to a building or other fixed structure/element.

In addition to the above, the Applicant respectfully submits that none of the prior art references, when taken singly and/or in combination teaches that the cryptographic key includes identification data associated with a container. The prior art, when taken singly and/or in combination also fails to teach that the container control certificate is stored in the log if the verification succeeds as presented in claim 8, or the converse, if the verification fails, the container control certificate is not stored in the log. In order to further prosecution, claim 1 has been amended to include these additional limitations. The Application respectfully submits that the present invention is patentably defined over the prior art of record.

Based on the above remarks, and amendments to the claims, the Applicant respectfully submits that the present invention is patentably defined over the prior art of record such that allowance of all claims and passage of the application to issue is respectfully requested. If the Examiner should have any additional questions or concerns regarding this matter, she is cordially invited to contact the undersigned at the number below in order to further prosecution.

Application Serial No: 10/575,044
In Reply to Office Action dated: December 27, 2010

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 50-0510.

Respectfully submitted,
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Date: March 21, 2011